



Order Filed on July 13, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

DENISE CARLON, ESQUIRE
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Attorneys for Bank of New York Mellon et al.

In Re:

Keith W. Nelms & Kathleen P. Nelms,

Debtors.

Case No.: 17-10060-MBK
Adv. No.:
Hearing Date: 7/11/17 @10:00 a.m.

Judge: Michael B. Kaplan

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTORS'
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED

DATED: July 13, 2017

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor:

Keith W. Nelms & Kathleen P. Nelms

Case No.:

17-10060-MBK

Caption:

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTORS' CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Attorneys for Bank of New York Mellon f/k/a the Bank of New York as successor indenture trustee to JPMorgan Chase Bank, N.A. as indenture trustee for the CWABS Revolving Home Equity Loan Trust Series 2004-Q, holder of a mortgage on real property located at 119 Driftwood Lane, Lacey Twp., NJ 08734, Denise Carlon appearing, by way of objection to the confirmation of Debtors' Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and George Veitengruber Esquire, attorney for Debtors, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that Debtors shall make post-petition payments directly to Secured Creditor outside of the plan in accordance with the terms of the Court's loss mitigation order; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that in the event loss mitigation is unsuccessful, Debtors are responsible for the difference between the loss mitigation payment and the regular payment for the months this loan was in the loss mitigation program and Secured Creditor does not waive its rights to collect same; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtors are to obtain a loan modification by the date set forth in the loss mitigation order or as may be further extended by an Order Extending Loss Mitigation or an amended plan; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Trustee shall not make disbursements on Secured Creditor's proof of claim while Debtors are seeking a loan modification;

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if loss mitigation is unsuccessful, Debtors shall modify the plan to cure the arrears, surrender the property, or sell or refinance the property; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
 Keith W. Nelms
 Kathleen P. Nelms
 Debtors

Case No. 17-10060-MBK
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Jul 13, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 15, 2017.

db/jdb +Keith W. Nelms, Kathleen P. Nelms, 119 Driftwood Lane, Lanoka Harbor, NJ 08734-2816

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 15, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 13, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
 Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS SUCCESSOR INDENTURE TRUSTEE TO JPMORGAN CHASE BANK, N.A., AS INDENTURE TRUSTEE FOR THE CWABS REVOLVING HOME EQUITY LOAN TRUST, SERIES 2004-Q dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
 George E Veitengruber, III on behalf of Debtor Keith W. Nelms Gveitengruber@gmail.com, knapolitanol5@gmail.com
 George E Veitengruber, III on behalf of Joint Debtor Kathleen P. Nelms Gveitengruber@gmail.com, knapolitanol5@gmail.com
 James Patrick Shay on behalf of Creditor WELLS FARGO BANK, N.A. james.shay@phelanhallinan.com
 Michael Frederick Dingerdissen on behalf of Creditor WELLS FARGO BANK, N.A. nj.bkecf@fedphe.com
 Michael Frederick Dingerdissen on behalf of Loss Mitigation Wells Fargo Bank N.A. nj.bkecf@fedphe.com
 U.S. Trustee. USTPRRegion03.NE.ECF@usdoj.gov

TOTAL: 8